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November 26, 2018

Representative Tom Barrett
Chair, Agriculture Committee
Michigan House of Representatives

Via email: Dakota Soda, Committee Clerk, dsoda@house.mi.gov

Re: Opposition to HB 6205, House Agriculture Committee Meeting, November 28, 2018

Dear Chair Barrett, Committee Members and Sponsor:

Thank you for the opportunity to address the committee. Attorneys for Animals, Inc. is a Michigan non-profit and 501(c)(3) organization of legal professionals and animal advocates. Our board of directors voted to **oppose HB 6205, until our concerns, outlined below, are addressed.**

The bill significantly overhauls the Animal Industry Act, a major piece of legislation that effects many animals in the state. It significantly impacts animal welfare, from companion animals being imported into the state to seek a permanent home, to farmed animals, to animals used for display, and for captive animals. We understand that the changes to the AIA have been the result of consensus among some stakeholders who have met since early 2017 at the beginning of this legislative term.

Such lengthy consideration is appropriate for a bill with wide-ranging consequences. It is also appropriate to include *all* stakeholders in such a consequential undertaking. Notably absent from the discussions were any representatives from the various animal welfare organizations which are incorporated in Michigan and/or have many supporters in the state.

We are concerned about three provisions of the bill.

First, the definition of "Animal Welfare" in Sec. 3 (D), [page 3, lines 16-18] is overly restrictive. It only references certain industries or viewpoints (namely animal agriculture and animal science) and does not include definitions derived from animal-welfare centered industries, professions, organizations or academic disciplines. We propose that the definition be expanded to include a reference to the Five Freedoms¹, and to the mental state of the animal, thereby incorporating an underrepresented point of view.

Second, replacing "livestock" with "animal" widely throughout the bill may have unintended consequences as the scope of the Animal Industry Act is so broad and regulates animals in

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various settings and activities. In particular, Sec. 19 of the Animal Industry Act regulates the importation of "livestock" into the state. HB 6205 revises Sec. 19 (beginning on page 57, line 10) to regulate the import of all "animals". Imposing the same standards for companion animals brought into Michigan for adoption, that are imposed on livestock, is unwise.ⁱⁱ

Third, we oppose the truncated definition of "enclosure" in Sec. 43b of the bill (page 74, line 27 to page 75, line 1) to remove language that references common confinement agriculture practices that are in existing law, MCLA 287.746ⁱⁱⁱ and in a pending bill, SB 660^{iv}. We urge that the existing definition be maintained in the final version of HB 6205.

Attorneys for Animals urges this Committee to not vote HB 6205 out of committee.

Very Truly Yours,



Beatrice M. Friedlander, JD
President

ⁱ The Five Freedoms, initially developed in the UK in 1965 related to farmed animals, have been more widely adopted, see The Association of Shelter Veterinarians, <https://www.sheltervet.org/five-freedoms> (last accessed November 27, 2018). They are:

- **Freedom from Hunger and Thirst**
By ready access to fresh water and diet to maintain health and vigor.
- **Freedom from Discomfort**
By providing an appropriate environment including shelter and a comfortable resting area.
- **Freedom from Pain, Injury or Disease**
By prevention or rapid diagnosis and treatment.
- **Freedom to Express Normal Behavior**
By providing sufficient space, proper facilities and company of the animal's own kind.
- **Freedom from Fear and Distress**
By ensuring conditions and treatment which avoid mental suffering.

ⁱⁱ The House Fiscal Agency Analysis, Revised Summary As Introduced (10/4/2018), <http://www.legislature.mi.gov/documents/2017-2018/billanalysis/House/pdf/2017-HLA-6205-8EDA92EE.pdf> (last accessed November 27, 2018) notes in its summary of the bill (at page 1) that one purpose is: "Replace "livestock" with "animal" in several provisions throughout the act, particularly those that deal with the importation of animals into the state, the inspection of animals for disease, and the exhibition of animals".

ⁱⁱⁱ (d) "Enclosure" means any cage, crate, or other structure used to confine a covered animal. Enclosure includes what is commonly described as a "gestation crate or stall" for gestating sows, a "veal crate" for calves raised for veal, or a "battery cage" for egg-laying hens.

^{iv} SB 660 (page 2, lines 2-6) makes no changes to the statutory definition (*see iii above*)